

Message Text

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 1977

C O N F I D E N T I A L SANTIAGO 0658

EXDIS

EO 11652: GDS

TAGS: CI, PINS

SUBJ: CHILE - HUMAN RIGHTS AND PROCEDURAL SAFEGUARDS

REF: SANTIAGO 645

1. IN SMALL MEETING JANUARY 29 BETWEEN PRES PINOCHET AND MAJ GEN GEORGE WALLACE (OSD/ISA), WHICH I ATTENDED, PRIOR TO FORMAL LUNCHEON, PRESIDENT NOTED IN PASSING THAT ADOPTION OF NEW LEGISLATION ON NATIONAL SECURITY (SEPTOL) WOULD PERMIT USE OF CIVILIAN TRIBUNALS IN DEALING WITH SOME OF THE OFFENSES TO BE COVERED BY CODE.

2. AT LUNCHEON, I HAD RARE OPPORTUNITY FOR DISCUSSION WITH MINISTER OF INTERIOR GEN BENAVIDES, WHO IS KEY FIGURE IN HUMAN RIGHTS PICTURE AND AN ELUSIVE TYPE NOT NORMALLY AVAILABLE TO DIPLOMATS. I REFERRED TO ABOVE REMARK BY GEN PINOCHET, AND BENAVIDES INDICATED THAT THIS WAS GOVERNMENT'S INTENTION. SPEAKING PERSONALLY, IS SUGGESTED THAT IF IT WERE FIRM GOVERNMENT POLICY, IT MIGHT BE USEFUL IF REFERENCE TO GREATER USE OF CIVILIAN TRIBUNALS COULD BE MADE IN CONNECTION WITH FORTHCOMING UN HUMAN RIGHTS COMMISSION MEETING OPENING IN GENEVA FEB 3. CONVERSATION WAS BROKEN AT THAT POINT.

3. LATE IN AFTERNOON, GEN BENAVIDES TELEPHONED ME TO SUGGEST THAT IT MIGHT BE USEFUL FOR US TO HAVE A LONGER DISCUSSION ON HUMAN RIGHTS MATTERS. HE SAID
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SITUATION WAS "MOBILE." UNFORTUNATELY, SINCE HE WILL BE AWAY,

FIRST DATE WE COULD ARRANGE WAS MORNING FEB 3, BUT AT HIS INITIATIVE WE AGREED THAT IF ANY NEW GOVERNMENT ACTION WERE IMMINENT, HE WOULD FEEL FREE TO TELEPHONE ME AT ANY TIME FOR AN EARLIER MEETING.

4. COMMENT: THIS UNUSUAL PERFORMANCE BY BENAVIDES APPEARS TO INDICATE THAT GOVERNMENT IS CONSIDERING WAYS TO IMPROVE IT POSITION STILL FURTHER, FOLLOWING UPON RELEASE OF CLODOMIRO ALMEYDA AND OTHER DETAINEES. WHEN I SEE BENAVIDES, I WILL EXPLAIN TO HIM, AS I HAVE IN PAST TO FOREIGN MINISTER, SIGNIFICANCE TO FOREIGN JURISTS AND OTHERS OF PROCEDURAL SAFEGUARDS FOR INDIVIDUALS SUSPECTED OF NATIONAL SECURITY AS WELL AS OTHER OFFENSES, AND DESIRABILITY OF INCREASED USE OF NORMAL LEGAL PROCESSES TO DEAL WITH POSSIBLE OFFENDERS. IT HAS BEEN DIFFICULT FOR CHILEAN MILITARY LEADERS TO APPRECIATE EFFECT WHICH ANY NOTABLE SHIFT IN THIS DIRECTION MIGHT HAVE IN US AND OTHER DEMOCRATIC COUNTRIES. I AM HOPEFUL THAT I CAN GET THIS POINT ACROSS TACTFULLY IN MY UPCOMING CONVERSATION.
POPPER

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